
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	COMPLAINT
	:	
v.	:	Honorable Michael A. Hammer
	:	
BENJAMIN BALISAGE,	:	
RAHMIR GLEATON, and	:	Mag. No. 24-10053
ARTHUR TIMMONS	:	
	:	<u>FILED UNDER SEAL</u>

I, Devon McManamon, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives and that this criminal complaint is based on the following facts:

SEE ATTACHMENT B

/s/ Devon McManamon

Devon McManamon, Special Agent
Bureau of Alcohol, Tobacco, Firearms, & Explosives

Special Agent McManamon attested to this Affidavit by telephone pursuant to F.R.C.P. 4.1(b)(2)(A) on this 13th day of March, 2024.

/s/ Hon. Michael A. Hammer

Hon. Michael A. Hammer
United States Magistrate Judge

ATTACHMENT A

COUNT ONE

(Firearms Trafficking Conspiracy)

From at least as early as in or around December 2023 until at least in or around March 2024, in Union County, in the District of New Jersey and elsewhere, the defendants,

**BENJAMIN BALISAGE,
RAHMIR GLEATON, and
ARTHUR TIMMONS,**

did knowingly and willfully conspire with each other and others, to ship, transport, transfer, cause to be transported, and otherwise dispose of any firearm to another person in or otherwise affecting interstate and foreign commerce, knowing and with reason to believe that the use, carrying, or possession of a firearm by the recipient would constitute a felony, contrary to Title 18, United States Code, Section 933(a)(1).

In violation of Title 18, United States Code, Section 933(a)(3).

COUNT TWO

(Possession of Firearms by a Convicted Felon)

On or about January 24, 2024, in the District of New Jersey and elsewhere, the defendant,

BENJAMIN BALISAGE,

knowing that he had previously been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess two firearms, namely a Rossi .38 Special revolver bearing serial number D343698 and loaded with five rounds of ammunition, and a Taurus .38 Special revolver bearing serial number EI84956 loaded with five rounds of ammunition, and the firearms were in and affecting interstate commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT THREE

Possession with Intent to Distribute Cocaine and Fentanyl

On or about January 3, 2024, in the District of New Jersey and elsewhere, the defendant,

BENJAMIN BALISAGE,

did knowingly and intentionally distribute and possess with intent to distribute a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, and a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

ATTACHMENT B

I, Devon McManamon, am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives (“ATF”). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, photographs, recordings, and other items of evidence. Where statements of others are related herein, they are related in substance and part. Where I refer to the contents of previously recorded conversations (e.g., consensual recordings or prior wiretap interceptions), quotations and descriptions are based on preliminary draft transcripts and/or translations of those conversations. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. Since at least November of 2023, the ATF, along with other federal, state, and local law enforcement agencies, has been investigating a firearms trafficking ring operating in and around Union County, New Jersey. In or around November 2023, an undercover law enforcement officer (the “UC”) met the defendant Benjamin Balisage (“BALISAGE”) and the UC expressed an interest in purchasing firearms and narcotics. Between November 29, 2023 and March 6, 2023, BALISAGE—either alone, through, or with the cooperation of defendants Rahmir Gleaton (“GLEATON”) and Arthur Timmons (“TIMMONS”)—sold narcotics and/or firearms to the UC. The purchases were recorded with audio and video.

2. On or about November 29, 2023, at a pre-arranged meeting location in Elizabeth, New Jersey, BALISAGE sold the UC approximately 22 grams of suspected cocaine and eleven Xanax pills in exchange for \$800. The UC had expressed interest in purchasing a firearm, and BALISAGE attempted to sell the UC a prop pistol that shot blanks. Upon realizing that the firearm shot blanks, the UC told BALISAGE, “I’m gonna go sell this and they’re going end up dealing with shooting blanks and not shoot real people.” The UC told BALISAGE in sum and substance that he was going to sell the firearm to others so that they could shoot people and that a gun that only shot blanks would not be sufficient.

3. On or about December 6, 2023, the UC met with BALISAGE in Elizabeth, New Jersey to purchase narcotics and a firearm. BALISAGE sold the UC approximately 9.5 grams of suspected cocaine and twelve Xanax pills in exchange for \$170. BALISAGE showed the UC a photograph of a firearm that BALISAGE was intending to purchase in order to sell to the UC, and BALISAGE stated, “it doesn’t shoot blanks.” The UC asked if the gun shot “real bullets to kill real people,” and BALISAGE answered in the affirmative. The UC said that he would be able to sell the gun within an hour of purchasing it. At that point, the UC asked BALISAGE to call the firearm seller, and BALISAGE made a video

call in the UC's presence to TIMMONS, who directed them to another location in Elizabeth, New Jersey. BALISAGE and the UC arrived at the location to which TIMMONS directed them, and BALISAGE placed another video call to TIMMONS, who instructed the UC to park at a certain location. BALISAGE left the UC and returned with a Keltec P11 9mm pistol bearing serial number AGY55 loaded with 14 rounds of ammunition ("Firearm-1"). BALISAGE sold Firearm-1 to the UC for \$1,000. BALISAGE related to the UC that TIMMONS told BALISAGE that TIMMONS would kill someone if the UC needed that done.

4. On or about December 12, 2023, the UC met BALISAGE at a pre-arranged meeting location in Elizabeth, New Jersey where BALISAGE sold the UC approximately 34 grams of cocaine, 44.5 grams of heroin, and a Taurus model G2C 9mm pistol bearing serial TMT31937 loaded with twelve rounds of ammunition ("Firearm-2") in exchange for \$2,700.

5. On or about December 13, 2023, in Elizabeth, New Jersey, BALISAGE sold the UC approximately 137 grams of suspected fentanyl, and approximately 100 grams of suspected cocaine. As the UC had indicated interest in purchasing another firearm, BALISAGE asked if the UC "f***[ed] with Hi-Points," to which the UC responded in sum and substance that he did not care as long as the firearm was capable of killing someone. BALISAGE directed the UC to drive to a location in Jersey City, New Jersey to purchase a firearm. Before leaving for Jersey City, the UC asked BALISAGE how he knew GLEATON, to which BALISAGE responded that he and GLEATON "did a bid" together, meaning that they were in prison at the same time. BALISAGE noted that GLEATON "beat" a gun charge during that time. When GLEATON was incarcerated pending trial on that gun charge, BALISAGE was serving 595 days in jail, meaning that he was a convicted felon and a person prohibited from possessing a firearm. In Jersey City, GLEATON sold the UC a Hi-Point model C9 9mm firearm bearing serial number P1966900 loaded with five rounds of 9mm ammunition ("Firearm-3") in exchange for \$700.

6. On or about January 3, 2024, in Elizabeth, New Jersey, BALISAGE sold the UC approximately 100 grams of cocaine, approximately 14 grams of fentanyl, a SCCY CPX-1 9mm pistol bearing serial number 764183 ("Firearm-4"), and a Kel-tec Sub-2000 9mm rifle bearing serial number FFKZ82 ("Firearm-5") in exchange for \$9,900. A subsequent lab test confirmed that the 14 grams contained fentanyl.

7. On or about January 10, 2024, in Elizabeth, New Jersey, BALISAGE sold the UC approximately 260 grams of fentanyl in exchange for \$3,500.

8. On or about January 17, 2024, the UC met BALISAGE at a pre-arranged meeting location in Elizabeth, New Jersey to purchase narcotics and a firearm. BALISAGE sold the UC approximately 23 grams of suspected fentanyl in exchange for \$1,800. BALISAGE informed the UC that he did not have the

firearm in his possession and that they would have to drive to another location to obtain it. In the UC's presence, BALISAGE received a call from GLEATON, and BALISAGE asked if GLEATON had the firearm ready. BALISAGE confirmed to the UC that the caller was GLEATON. BALISAGE and the UC traveled to another location in Elizabeth where law enforcement observed BALISAGE enter GLEATON's vehicle. BALISAGE returned to the UC, where he sold him a Hi-Point model C-9 9mm firearm with an obliterated serial number loaded with six rounds of ammunition ("Firearm-6") in exchange for \$1,200. The UC asked BALISAGE if he met with the same person as last time, meaning GLEATON, and BALISAGE responded in the affirmative.

9. On or about January 24, 2024, the UC met BALISAGE in Elizabeth, New Jersey, where BALISAGE sold the UC a Rossi .38 Special revolver bearing serial number D343698 loaded with five rounds of ammunition ("Firearm-7"), a Taurus .38 Special revolver bearing serial number EI84956 loaded with five rounds of ammunition ("Firearm-8"), and approximately 11 grams of suspected fentanyl in exchange for \$2,000. After the exchange of the firearms, the UC told BALISAGE in sum and substance that he and others were going to use "the 38" to shoot someone who "beat [them] on the price." The UC further stated in sum and substance that his target was going to end up in a grave.

10. Firearms-1 through -8 were manufactured outside of New Jersey and thus traveled in interstate commerce prior to when BALISAGE possessed them on the above dates.

11. Prior to possessing Firearms-1, -2, -4, -5, -6, -7, and -8 on the above dates, BALISAGE was convicted of at least one felony offense. More specifically, on or about July 6, 2023, BALISAGE was convicted of aggravated assault in violation of N.J.S.A. 2C:12-1B(7) in Union County Superior Court and sentenced to 595 days' incarceration.